

REMARKS

Claims 1-14 are currently pending. All pending claims have been rejected in the Office Action of June 7, 2007. More specifically, claims 1-11, 13 and 14 stand rejected under 35 USC 103(a) as obvious over Ozaki (US 2002/0061770) in view of Soini (US Patent No. 6,445,932). Claim 12 is rejected under 35 USC 103(a) as obvious over Ozaki in view of Soini as applied to claim 7 and further in view of Alberth (US Patent No. 6,094,565). In view of the amendments and remarks herein, Applicant respectfully submits that the rejection of claims 1-14 have been overcome and those claims, as amended, are allowable over the prior art of record.

Independent claims 1 and 7 have now been amended to clarify the following: 1) claims 1 and 7 now clarify that the display section displays "screens according to the operation of the main operation section" that is found in the first housing; and 2) claims 1 and 7 now clarify that the auxiliary operation section having at least one key is "able to operate to the screens displayed on the display section." Also, both claims 1 and 7 require that the auxiliary operation section is at least in part inoperative in the opened state. Specifically, claim 1 requires that the "auxiliary operation section is inoperative at least in the opened state" and claim 7 requires that the "at least one key is inoperative at least in a opened state."

The Office Action now acknowledges that Ozaki fails to disclose that the auxiliary operation section is at least in part inoperative in the opened state. For this aspect of claims 1 and 7, the Office Action now relies on Soini. Specifically, the Office Action states "Soini teaches that the auxiliary operation section is inoperative in the opened state (mobile station is unfolded) but operative in the closed state (mobile station is folded) (see Soini, claims 11 and 13). However, upon further review of Soini, Soini does not, in fact, disclose this aspect of claims 1 and 7.

Soini discloses a multi-service mobile station that has separate operation modes, a terminal mode that operates using a QWERTY key arrangement and a separate telephone mode for telephone calls. Soini explains those modes as follows:

FIG. 1 [reproduced below] presents one preferable embodiment of multi-service mobile station 1, in which it has two folding sections which can be folded/unfolded. Multi-service mobile station 1 is in FIG. 1 presented in mobile telephone position, in which top section 10 and base section 20 have been folded together, supported by hinge 19 (FIG. 2). The top side of cover section 10 comprises display 11 for displaying alphanumeric characters or graphics, and keyboard 12 for inputting alphanumeric characters in multi-service mobile station 1. **When multi-service mobile station 1 is in its mobile telephone position, cover section 10 and base section 20 are locked together with latch 13.** Antenna 14 is mounted in cover section 10 in the preferable embodiment according to the invention.

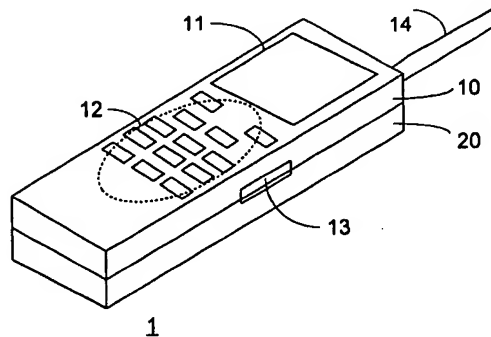


Figure 1

Soini at Col. 3, line 61 to Col. 4, line 7 (emphases added).

In FIG. 2 [reproduced below] the same preferable embodiment of multi-service mobile station 1 is presented in its terminal (mode) position, with cover section 10 and base section 20 unfolded in a suitable angle, apart from each other, and supported by hinge 19. **In this position the inside of cover section 10 and the top side of base section 20 provide the user a user interface comprising display 15, scroll keys 16 and function keys 17, and base section 20 provides application keys 21, QWERTY keys 22 and arrow keys 23, both prior known from typewriters and computers.** If needed, displays 11, 15 can be equipped with a

touch sensitive surface, making it possible to input information in multi-service mobile station 1 by touching display 11, 15 with a specific pen or with fingers.

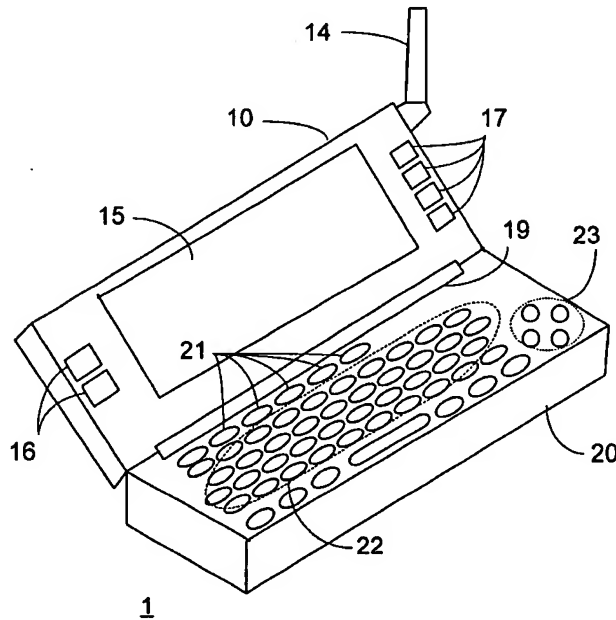


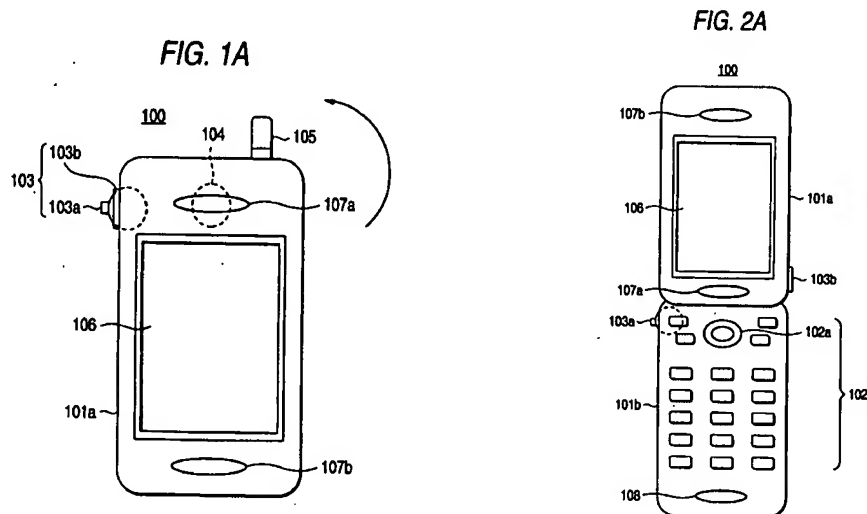
Figure 2

Soini at Col. 4, lines 8-21 (emphases added).

As described above, the different modes, telephone mode and terminal mode, have independent display sections and operations sections. Phone mode has display 11 and keyboard 12 as shown in Figure 1. Terminal mode has display 15 and QWERTY keyboard 22. In other words, the key for operation and the operation content of the closed state (telephone mode) is totally different from the key or keys for operation and operation content in the opened state (terminal mode). Therefore, it is apparent from Figures 1 and 2 that keyboard 12 which the Office Action identifies as "an auxiliary operation section" is not an auxiliary operation section "comprising at least one key provided on a surface other than surfaces, which are opposed to each other of said both housings in the closed state including other than said display section" as required by claims 1 and 7. As discussed below, the specification discloses an auxiliary operation section 103 that is on a side surface of the housings and not on a surface of the walls of

the housing that oppose each other either in the opened state or closed state. For this reason alone, the combination of Soini and Ozaki cannot render obvious any of the pending claims.

Moreover, Soini does not present the same problems that can arise when the same operation is performed in the closed state as in the opened state as with the claimed device. In the claimed device, there is a display that is present in both the closed state and the opened state. See, for example, Fig. 1A and Fig. 2A of the present application, reproduced below. As shown, display 106 is shown in the closed state and auxiliary operation section 103 is operative, main operating section 102 is not accessible in the closed state. In the opened state, as shown in Fig. 2A, display 102 is still visible and in use. Main operating section 102 is now accessible. However, auxiliary operation section 103 is also still accessible in the opened state.



The problem to be solved by the claimed invention is the erroneous operation caused when opening or closing the housings of the portable terminal unit. In the claimed invention, the auxiliary operation section which is exposed in the closed state, unlike in Soini, is also exposed in the opened state, and this is an inconvenience for the user in the opened state. As clarified by the amendments to claims 1 and 7, the claimed device has a display section that

displays screens according to the operation of the main operation section and that the auxiliary operation section and the main operation section control a common display section. Specifically, the amended claims now recite "an auxiliary operation section being able to operate to the screens displayed on said display section, and comprising at least one key provided on a surface other than surfaces, which are opposed to each other of said both housings in the closed state including other than said display section." However, Soini discloses a device that has separate keyboards and displays depending on whether the mobile station is in phone mode or terminal mode. For example, the keyboard 12, which operates with screen 11, of Soini is not in use when the mobile station is in the opened state. In other words, it does not control, for example screen 15, which is controlled by separate keyboard 22. Moreover, even if the keyboard 12 was left operative it could not be accidentally used by the user in the terminal mode since the terminal mode is intended to and constructed to be used with the QWERTY keyboard 22. Similarly, in the phone mode, the keyboard 22 is inaccessible to the user and cannot be accidentally used in that closed state. Therefore, Soini does not disclose an auxiliary operation that is associated with and controls a display section exposed in the closed state and that is turned off in the opened state. Thus, Soini, like Ozaki, does not disclose an auxiliary operation section being able to operate to the screens displayed on said display section, and comprising at least one key provided on a surface other than surfaces, which are opposed to each other of said both housings in the closed state including other than said display section," and does not disclose that the auxiliary operations section is inoperative or the keys thereof are inoperative in the opened state.

In short, Soini and the claimed invention are different from each other in the housing and operation structure. Thus, Soini, does not suggest the technical problem to be

solved in the present invention, that is, the error operation of the auxiliary operation section in the opened state.

Ozaki similarly fails to disclose the problems addressed by Applicant's claimed invention. Ozaki teaches in paragraph [0036] the effect that the operation section 5 (main operation section) and the operation key 8 can be used together in the opened state. Therefore Ozaki cannot reach the problem to be solved in the claimed invention, that the auxiliary operation section is operated in the opened state.

The problem solved by the invention is highlighted by Claim 7 which requires a coupling that permits relative rotation of the housings to 180 degrees. As should be apparent, in order to rotate the housing, the force should be applied to the position where the auxiliary operation section is disposed, which causes the error operation. Thus, disabling the auxiliary operation section in the opened state is imperative to proper operation of the claimed device. As explained above, this problem is not present in the mobile station of Soini which has separate operating sections for phone mode and terminal mode.


In Ozaki, the operation key 8 is provided on the display surface, which is different from the present invention, and thus, Ozaki cannot reach the inconvenience that the error operation occurs at moving into the opened state. Thus, the combination of Ozaki and Soini do not render obvious the device of claims 1 and 7. For those same reasons, none of the dependent claims are rendered obvious. Additionally, Soini fails to teach a state detecting section as recited in claims 2 and 8, fails to teach that the auxiliary operation section is inoperative as required by claims 3, 4, 9 and 10.

Accordingly, Applicant requests that the Examiner reconsider these rejections in view of the amendments and the comments as set forth above and allow pending claims 1-14.

For at least the reasons set forth above, Applicant respectfully submits that this patent application, as amended, is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested. The Examiner is urged to telephone Applicant's undersigned counsel at the number noted below if it will advance the prosecution of this application, or with any suggestion to resolve any condition that would impede allowance. In the event that any extension of time is required, Applicant petitions for that extension of time required to make this response timely. Kindly charge any additional fee, or credit any surplus, to Deposit Account No. 50-0675, Order No. 848075-0059.

Respectfully submitted,

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